

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of	)	
	)	
Numbering Policies for Modern Communications	)	WC Docket No. 13-97
	)	
IP-Enabled Services	)	WC Docket No. 04-36
	)	
Telephone Number Requirements for IP-Enabled Services Providers	)	WC Docket No. 07-243
	)	
Telephone Number Portability	)	CC Docket No. 95-116
	)	
Developing a Unified Inter-carrier Compensation Regime	)	CC Docket No. 01-92
	)	
Connect America Fund	)	WC Docket No. 10-90
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200
	)	
Petition of Vonage Holdings Corp. for Limited Waiver of Section 52.15(g)(2)(i) of the Commission's Rules Regarding Access to Numbering Resources	)	
	)	
Petition of TeleCommunication Systems, Inc. and HBF Group, Inc., for Waiver of Part 52 of the Commission's Rules	)	

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**COMMENTS OF CENTURYLINK**

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## TABLE OF CONTENTS

	Page
SUMMARY .....	iii
I. INTRODUCTION: NUMBER ADMINISTRATION AND MANAGEMENT INTO THE FUTURE PRESENT CHALLENGES THAT MUST BE BALANCED BETWEEN CONSERVATION AND ACCOMMODATION OF INEVITABLE INDUSTRY AND MARKET CHANGES.....	2
A. Number Administration Practices Into the Future Must Build Upon the Current Foundation of Existing Rules, as Well as Industry Policies and Guidelines. ....	2
B. Matters Raised in the <i>Notice</i> Require Industry Work and Definition To Be Meaningful.....	4
II. CRAFTED APPROPRIATELY, THE DIRECT-ASSIGNMENT NUMBERING TRIALS WITH VOIP PROVIDERS SHOULD CONFIRM THAT SUCH ASSIGNMENTS ARE IN THE PUBLIC INTEREST. ....	5
A. Those Receiving Telephone Numbers Directly Should Be Treated Comparably.....	6
1. All Service Providers Should be Allowed Access to Numbers in all Rate Centers.....	7
2. Simple Regulatory Mechanisms Should be Fashioned for VoIP Providers to Show Their Authority to Serve and Facilities Readiness. ....	8
B. Imposition of an N11-Dialing Functionality by the Commission. ....	10
III. ILECS' EXISTING NETWORKS AND TRAFFIC-EXCHANGE PROCESSES ARE NOT POISED FOR A MAJOR OVERHAUL IN CONNECTION WITH A TRIAL TESTING THE DIRECT ASSIGNMENT OF TELEPHONE NUMBERS. ....	12
A. The Trials at Issue in the <i>Order</i> Are Number-Assignment Trials Not Network Re-Design Ones. ....	12
B. "Additional Issues Raised In Pending Waiver Proceedings." .....	13
1. Intercarrier Compensation. ....	14
2. VoIP Interconnection. ....	16
C. VoIP Requests (Sometimes Demands) for Extra-Ordinary Treatment During the Six-Month Direct-Number-Assignment Trials and CenturyLink's Proposed Solution.....	17
1. Requests for Extraordinary Treatment.....	17

2.	CenturyLink Has a Reasonable, Fair Traffic Exchange Solution.....	19
IV.	THE COMMISSION SHOULD ACT IMMEDIATELY TO DECLARE THAT “SHARED INDUSTRY COSTS” ARE JUST THAT -- SHARED COSTS; A CARRIER’S USE OF NUMBERING RESOURCES FOR INTRA-CARRIER OR NON- LNP/POOLING FUNCTIONS ARE CARRIER-SPECIFIC COSTS NOT TO BE BORNE BY THE INDUSTRY. ....	20
V.	CONCLUSION.....	23

#### Appendix A – Quoted Material from 2005 NANC Report

## SUMMARY

Number administration and management now and into the future presents challenges that must be balanced between conservation and accommodation of inevitable industry and market changes. Number administration practices must of necessity build upon the current foundation of rules, industry policies and guidelines.

In keeping with the above principles, CenturyLink's comments stress the following points:

- (1) Extending direct access to numbers by interconnected VoIP providers is in the public interest, is desirable and should be workable.
- (2) All entities that are the beneficiaries of direct access to telephone numbers should be subject to the same Commission rules, industry guidelines and practices and delegated state authority, absent some compelling demonstration of the need for differentiation.
- (3) The proposed trials generally do not require modifications to network routing, terms and conditions of traffic exchange, or existing numbering databases or their functionality; accordingly, trial participants must negotiate with other providers in good faith, taking into consideration existing local exchange carrier infrastructure, as well as processes and systems.
- (4) The Commission's cost allocation rules need immediate attention to restore equity and equilibrium to the matter of number administration; and a rulemaking should be initiated to address more futuristic issues of the use of telephone numbers as addressing devices and how that might drive a new cost allocation model.

CenturyLink supports the direct assignment of telephone numbers to VoIP providers. We are well positioned to assess the public benefit of such assignment, given our status as a LEC and a CLEC that can directly access numbers on our own behalf, a VoIP service provider occasionally receiving numbers through LEC partners, as well as having earlier filed a waiver to secure direct access to numbering resources under the criteria established in the 2005 *SBCIS Waiver Order*. Our comments are grounded in the understanding that, as scarce resources, number utilization must be accomplished through the lens of public benefit. Such benefit is best

achieved when parties wanting to access and use numbers are subject to the same rules and regulations and where those rules and regulations are kept to a minimum. Minimizing regulations that might thwart such market responsiveness should be a Commission objective.

The Commission's investigation into how telephone numbers might be used and managed as the communications industry increasingly extends beyond traditional common carriage is both necessary and timely. The Commission clearly appreciates that the management of numbering resources implicates a much greater universe of providers, services and technology applications than local exchange carriers and interconnected VoIP providers. The ability to access and use telephone numbers will play an increasingly important role in the design and definition of innovative products and technology solutions in the years to come. Yet there are only so many 10-digit number combinations available. Thus caution and conservatism are required in extending the universe of businesses that can make direct claims for telephone numbers.

Issues such as entirely removing telephone numbers from a geographic association or moving to a communication-addressing scheme that utilizes devices other than numbers are complicated matters that cannot be addressed in any educated fashion absent considerable industry reflection and deliberation. Given the magnitude and significance of such matters, differences of opinion with respect to technology and policy need to be vetted at a working level before they ever rise to a regulatory recommendation. This will take time. Prior to such meaningful industry input, comment on these matters may be too speculative or premature to be actionable.

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**COMMENTS OF CENTURYLINK**

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**I. INTRODUCTION: NUMBER ADMINISTRATION AND MANAGEMENT INTO THE FUTURE PRESENT CHALLENGES THAT MUST BE BALANCED BETWEEN CONSERVATION AND ACCOMMODATION OF INEVITABLE INDUSTRY AND MARKET CHANGES.**

**A. Number Administration Practices Into the Future Must Build Upon the Current Foundation of Existing Rules, as Well as Industry Policies and Guidelines.**

CenturyLink here responds to the *Notice of Proposed Rulemaking* in the above-referenced dockets<sup>1</sup> to address a variety of issues pertaining to the access, use and administration of telephone numbers now and into the future. Specifically, CenturyLink makes the following points:

- (1) Extending direct access to numbers by interconnected VoIP providers is in the public interest, is desirable and should be workable.
- (2) All entities that are the beneficiaries of direct access to telephone numbers should be subject to the same Commission rules, industry guidelines and practices and delegated state authority, absent some compelling demonstration of the need for differentiation.
- (3) The proposed trials generally do not require modifications to network routing, terms and conditions of traffic exchange, or existing numbering databases or their functionality; accordingly, trial participants must negotiate with other providers in

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<sup>1</sup> *In the Matter of Numbering Policies for Modern Communications, IP-Enabled Services, Telephone Number Requirements for IP-Enabled Services Providers, Telephone Number Portability, Developing a Unified Inter-carrier Compensation Regime, Connect America Fund, Numbering Resource Optimization, Petition of Vonage Holdings Corp. for Limited Waiver of Section 52.15(g)(2)(i) of the Commission's Rules Regarding Access to Numbering Resources, Petition of TeleCommunication Systems, Inc. and HBF Group, Inc. for Waiver of Part 52 of the Commission's Rules*, FCC 13-51, Notice of Proposed Rulemaking, Order and Notice of Inquiry, WC Docket Nos. 13-97, 04-36, 07-243, 10-90, CC Docket Nos. 95-116, 01-92 and 99-200, 28 FCC Rcd 5842 (rel. Apr. 18, 2013) ¶ 1 (“*Notice*”, “*Order*” or “*NOI*” as appropriate) (for ease of reference paragraphs 1 thru 15 of the Apr. 18, 2013 release are also referenced as “*Notice*”).

good faith, taking into consideration existing local exchange carrier infrastructure, as well as processes and systems.

- (4) The Commission's cost allocation rules need immediate attention to restore equity and equilibrium to the matter of number administration; and a rulemaking should be initiated to address more futuristic issues of the use of telephone numbers as addressing devices and how that might drive a new cost allocation model.

CenturyLink supports the direct assignment of telephone numbers to VoIP providers, and discusses that support at greater detail below. We are well positioned to comment on the public benefit of such assignment, given our status as a LEC and a CLEC that can directly access numbers on our own behalf, a VoIP service provider occasionally receiving numbers through LEC partners, as well as having earlier filed a waiver to secure direct access to numbering resources under the criteria established in the 2005 *SBCIS Waiver Order*.<sup>2</sup>

The Commission's investigation into how telephone numbers might be used and managed as the communications industry increasingly extends beyond traditional common carriage is both necessary and timely. The availability of numbers, and their diligent management, has become more challenging "in light of significant ongoing technology transitions in the delivery of voice services"<sup>3</sup> and that challenge will only grow. In such context, achieving the Commission's "goal of promoting innovation, investment, and competition for the ultimate benefit of consumers and businesses,"<sup>4</sup> requires a disciplined analysis of customer

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<sup>2</sup> *Administration of the North American Numbering Plan*, Order, 20 FCC Rcd 2957 (2005) (*SBCIS Waiver Order*). And see Qwest Communications Corporation, on Behalf of its IP-Enabled Service Operations Petition for Limited Waiver, CC Docket No. 99-200 (filed Mar. 29, 2005).

<sup>3</sup> *Notice*, 28 FCC Rcd at 5844 ¶ 3.

<sup>4</sup> *Id.*, 28 FCC Rcd at 5897, Appendix B ¶ 2.



needs, current and impending technologies, and the varied providers available in the marketplace who will be deploying those new technologies to meet the needs of the public.

While the *Notice*, and more so the concurrent *Order*, have a heavy focus on the direct assignment of telephone numbers to interconnected VoIP providers, the *Notice* (and certainly the *NOI*) reflects the Commission's clear appreciation that the management of numbering resources implicates a much greater universe of providers, services and technology applications than LECs and interconnected VoIP providers. The ability to access and use telephone numbers will play an increasingly important role in the design and definition of innovative products and technology solutions in the years to come. Yet there are only so many 10-digit number combinations available. And while it may be inevitable that 12-13 digit dialing will be necessary sometime in the future, there is an understandable reluctance to be the regulator or service provider that heralds in such a world, dashing long-standing and well-established customer expectations. Thus caution and conservatism are required in extending the universe of businesses that can make direct claims for telephone numbers.

These comments are grounded in the understanding that, as scarce resources, number utilization must be accomplished through the lens of public benefit. Such benefit is best achieved when parties wanting to access and use numbers are subject to the same rules and regulations and where those rules and regulations are kept to a minimum. Minimizing regulations that might thwart such market responsiveness should be a Commission objective.

**B. Matters Raised in the *Notice* Require Industry Work and Definition To Be Meaningful.**

With respect to the *NOI*, CenturyLink believes the concepts reflected there are very significant with respect to number administration into the next decade. But it is precisely the long-term look into the future that renders the issues raised there highly speculative and likely

premature with respect to any specific proposal. Issues such as entirely removing telephone numbers from a geographic association (a step far beyond the current increasing separation associated with nomadic VoIP and other IP voice offerings), or moving to a communication-addressing scheme that utilizes devices other than numbers are heady matters that cannot be addressed in any educated fashion absent considerable industry deliberation.

Industry technical subject matter and policy experts, as well as business representatives, must come together to share ideas, debate differences of opinion and work to reach consensus on the best approach for the communications industry (comprised as it is by an ever-increasing panoply of service providers and customers) moving forward. Given the magnitude and significance of the matters reflected in the *Notice*, such reflections and deliberations will surely reflect differences of opinion with respect to technology and policy that need to be vetted at a working level before they ever rise to a regulatory recommendation. And all of this will take time.

At some point in the future, the Commission will surely be presented with recommendations -- maybe a variety of them -- about the future of numbering and numbering devices. At the point when there is meaningful substance to industry-supported consensus recommendations, another *Notice* will be timely to secure comments directed to defined proposals. The time for meaningful input on these matters is not now.

## **II. CRAFTED APPROPRIATELY, THE DIRECT-ASSIGNMENT NUMBERING TRIALS WITH VOIP PROVIDERS SHOULD CONFIRM THAT SUCH ASSIGNMENTS ARE IN THE PUBLIC INTEREST.**

Beginning with limited trials of direct number assignments, such as the Commission authorizes in its *Order* with respect to interconnected VoIP providers, is a good way to test the operational aspects of direct number assignments to non-carriers utilizing the existing numbering

infrastructure long used by LECs. Similarly, the trials will allow the industry-promulgated processes and procedures associated with number administration to be tested to assess their suitability and feasibility.<sup>5</sup>

The trials should produce facts and data that will educate regulators, service providers, and other interested parties regarding how the existing numbering environment accommodates direct number assignment beyond the carrier community. It is possible that the data will show that some modifications to existing rules or industry practices are necessary to render them more relevant or efficient. But prior to such careful deliberations, no reason exists to assume the numbering administration *status quo* is in need of immediate amendment or that it should be modified in any material way for the trials.

**A. Those Receiving Telephone Numbers Directly Should Be Treated Comparably.**

As the Commission deliberates on the wisdom of allowing interconnected VoIP providers to have direct access to numbering resources post-trials, it is important that all parties sharing the same status (*i.e.*, having direct access to numbers) are treated comparably. Being able to directly access phone numbers and assign them to customers carries with it rights and responsibilities, and all those that engage in the activity should feel the weight of those rights and responsibilities in equal measure. No segment of the voice services industry should be favored with regard to

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<sup>5</sup> As the *Notice* notes at 28 FCC Rcd at 5849, n.34, on Aug. 3, 2005, the NANC (in response to a Commission directive associated with the *SBCIS Waiver Order*) submitted a Report and Recommendation entitled “VoIP Providers’ Access Requirements for NANP Resource Assignments.” See Letter from Robert C. Atkinson, NANC Chair, to Mr. Thomas Navin, Chief, Wireline Competition Bureau (filed Aug. 3, 2005) available at <http://www.fcc.gov/encyclopedia/2005-nanc-correspondence> (NANC 2005 Report). That Report supported the direct assignment of telephone numbers to VoIP providers and noted that the “recommendations contained within this document will require existing numbering application forms to be modified, the alteration of some current number assignment criteria, and the adoption of the principle that all providers should share and bear the same ‘numbering-related’ responsibilities.” NANC 2005 VoIP NANP Resource Report at page 3.

such resources, or associated rules and industry practices, regardless of whether voice services are made available through copper pipes, optic cables, or broadband connections. Disparate regulation impedes competitive parity. Accordingly, it should occur only when there are compelling facts and policy objectives that rationalize different treatment.<sup>6</sup>

It seems clear from the Commission's *Order* that it anticipates regulatory parity as being the *status quo* with respect to the direct-number-assignment trials. Indeed, the *SBCIS Waiver Order* contained a condition that SBCIS was required to comply with the Commission's numbering utilization and optimization requirements, as well as industry guidelines and practices, and the *Order* authorizing the current direct-assignment trials has a similar requirement.<sup>7</sup> Similarly, the *Notice* seeks to make clear that local number portability obligations pertain to porting activities between carriers and interconnected VoIP providers regardless of whether those VoIP providers work with CLEC numbering partners or secure numbers directly on their own.<sup>8</sup> This kind of regulatory parity is appropriate as one considers direct number assignments post-trials, as well.

**1. All Service Providers Should be Allowed Access to Numbers in all Rate Centers.**

Assuming the decision is made that interconnected VoIP providers should be allowed

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<sup>6</sup> In the *Notice*, the Commission asks about the competitive impact of allowing VoIP providers to have direct access to numbers and whether that decision would encourage companies that offer both VoIP and non-VoIP services to migrate more services to the VoIP offering. *See Notice*, 28 FCC Rcd at 5860 ¶ 35. In CenturyLink's opinion, if the Commission treats both offerings comparably with respect to number access and use, its decision should have no influence on service migrations. Such migrations would be market responsive, not influenced by unequal regulation.

<sup>7</sup> *SBCIS Waiver Order*, 20 FCC Rcd at 2961-62 ¶ 9; *Order*, 28 FCC Rcd at 5883 ¶ 105.

<sup>8</sup> *Notice*, 28 FCC Rcd at 5868-69 ¶¶ 59-60. CenturyLink does not believe it is necessary for the Commission to formally modify its rules to provide clarity on this matter. *See id.* at 5869 ¶ 61. We believe (as outlined in ¶ 60), that this matter is already established in Commission precedent.

direct access and use of telephone numbers post-trials, that access should be the same as for other service providers (*i.e.*, carriers) in all material respects. Accordingly, CenturyLink opposes advocacy for the creation of a two-faceted model for accessing numbering resources: *i.e.*, that carriers could secure numbers from both pooled and non-pooled areas, but VoIP providers could only secure numbers from areas where pooling is in place.<sup>9</sup> Arguments for this kind of disparity in treatment should not be embraced, particularly absent factual evidence that treating carriers and interconnected VoIP providers alike in their requests for telephone numbers threatens actual – as opposed to speculative -- harm.<sup>10</sup> Accordingly, we support the Commission’s proposal that access to numbering resources be restricted only upon a demonstrated showing of a detrimental impact on number exhaust.<sup>11</sup>

**2. Simple Regulatory Mechanisms Should be Fashioned for VoIP Providers to Show Their Authority to Serve and Facilities Readiness.**

To the extent that current sections 52.15(g)(2)(i) and (ii) of the Commission’s rules reflect limited options for service providers to demonstrate their willingness and ability to serve customers, they stand as impediments to the direct assignment of telephone numbers by interconnected VoIP providers. Accordingly, CenturyLink supports revisions to these rules to incorporate a wider range of elements to demonstrate that a service provider is acting lawfully in providing service to customers in a particular area; and that the provider has reasonable facilities

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<sup>9</sup> See *id.* at 5857 ¶ 25 (WI, NE, and ID).

<sup>10</sup> Comments express concern that if VoIP providers seek to serve rural areas where no pooling exists, they would secure 10,000 numbers (rather than the 1000 associated with pooling areas). But there is nothing that requires VoIP providers to only provide service to customers through the use of their own numbering resources. Rather, VoIP providers could (and likely will) continue to provide service in some areas through LEC partners. And, from a purely business perspective, it seems quite unlikely that a VoIP provider would take on the number administration tasks associated with direct-number access for 10,000 numbers if it were going to need substantially fewer number to serve its customers. *Id.* at 5856 ¶ 24.

<sup>11</sup> *Id.* at 5857 ¶ 26.

in place to do so. And we support fashioning a regulatory regime that is as administratively simple as possible.

In CenturyLink's opinion, utilizing the information currently-provided from Form 477<sup>12</sup> or requiring a sworn certification of service provisioning meets the objective of minimizing regulatory burdens. Alternatively, a registration process such as was proposed in the NANC 2005 Report might be utilized.

To make the gathering of the important information as simple as possible a registration system similar to that in use by some states to gather information about wireless service providers and interexchange carriers could be used for VoIP service providers.

Most VoIP service providers will be required to register with the Secretary of State in a state in which they will be conducting business. This would be the trigger for the service provider to also register with the state agency that oversees voice communications in the state. The VoIP provider would send a letter to the relevant state agency that oversees voice communications that includes the information indicated below. No further action by that state agency or the VoIP provider would be required.

Information provided in the registration process is recommended to include, as applicable:

- ✓ Registrant's legal name
- ✓ Registrant's dba's
- ✓ Registrant's principle business address and telephone number
- ✓ Contact information for the person responsible for state Universal Service Fund
- ✓ Contact information for the person responsible for Telecommunications Relay Systems
- ✓ Contact information for the person responsible for numbering resources
- ✓ Contact information for the person responsible for E911
- ✓ Contact information for the person responsible for Consumer issues

When information changes it should be updated in a timely manner.<sup>13</sup> But whatever the process, it should be easy and self-effectuating, requiring minimum regulatory oversight.

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<sup>12</sup> *Id.* at 5853-54 ¶ 20 (noting that pages 2 and 36 of that Form currently identify VoIP providers as such and include information regarding what states they provide service in).

<sup>13</sup> NANC 2005 Report at 8.

Similarly, with respect to an interconnected VoIP provider's ability to prove "facilities readiness," flexibility should be the rule of the day. Such proof could take the form of certifications of having purchased products pursuant to carrier tariffs, or having entered into commercial agreements with carriers for the exchange of traffic or other mechanisms.<sup>14</sup> But there are many other possible "proofs" that could demonstrate that a VoIP provider has sufficient facilities available and is ready to serve its potential customers.

In 2005, the NANC Report noted that "Existing Facilities Readiness criteria from the central office code and thousand block number pooling guidelines may not require any changes since a VoIP service provider should be able to qualify under at least one of the stated elements listed in the guidelines excerpted below."<sup>15</sup> The guidelines went on to outline a variety of mechanisms by which facilities readiness might be proven. CenturyLink quotes from those options at Appendix A to this filing. We believe the Commission should adopt the NANC Recommendation and allow any of the potential "proofs" of readiness to be used.

**B. Imposition of an N11-Dialing Functionality by the Commission.**

The Commission imposed a condition on the direct-number-assignment trials approved in the *Order* that was not previously required in the *SBCIS Waiver Order* and was not proposed by Vonage: N11 access. The Commission required trial participants to "provide customers with the ability to access all N11 numbers used in a State."<sup>16</sup> This condition was imposed in the *Order*

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<sup>14</sup> *Notice*, 28 FCC Rcd at 5858 ¶¶ 29 and 30. What is clear is that VoIP providers are not entitled to section 251 interconnection agreements, should carriers not want to extend all the terms and conditions of such agreements to such providers. *See id.* at 5845 ¶ 6 ("VoIP providers cannot 'directly avail themselves of various rights under sections 251 and 252 of the Act.'").

<sup>15</sup> *See* NANC 2005 Report at 9-11.

<sup>16</sup> *Order*, 28 FCC Rcd at 5884 ¶ 107. This condition was imposed at the suggestion of the Wisconsin PSC, who specifically referenced "vital information and referral services (211), non-emergency police or municipal services (311), travel information (511), Telephone Relay Services (711), state one-call notification centers (811)" and 911. *Id.* n.261.

despite the fact that earlier in the *Notice* the Commission sought “particular comment on how providers of nomadic VoIP service could comply with a requirement to provide access to the locally-appropriate N11 numbers.”<sup>17</sup>

Since a number of interconnected VoIP providers are proceeding with the direct-number-assignment trials, CenturyLink concludes that these providers are able to provide N11 dialing *during* the six-month trials (or are conducting their trials in areas where there are no N11 obligations). We look forward to learning more about how interconnected VoIP providers are accomplishing N11 deployments, given the short period of time they would have to implement them, as well as the costs associated with providing such access.

Six months seems a very short period of time to deploy N11 dialing across localities. In 2007-2008, VoIP providers were challenged to implement 711-dialing access to Telephone Relay Services (TRS), originally within a six-month Commission imposed time line.<sup>18</sup> While certain interconnected VoIP providers claimed they anticipated accomplishing the task within six months, others (such as CenturyLink) required more time.<sup>19</sup> Moreover, while CenturyLink did create the 711-dialing functionality, it did so in the absence of any actual knowledge that a 711

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<sup>17</sup> *Notice*, 28 FCC Rcd at 5859 ¶ 34.

<sup>18</sup> *See In the Matter of IP-Enabled Services; Implementation of Sections 255 and 251(a)(2) of the Communications Act of 1934, as Enacted by The Telecommunications Act of 1996: Access to Telecommunications Service, Telecommunications Equipment and Customer Premises Equipment by Persons With Disabilities; Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities, The Use of N11 Codes and Other Abbreviated Dialing Arrangements*, Order and Public Notice Seeking Comment, 22 FCC Rcd 18319 (2007).

<sup>19</sup> *See* Qwest Communications Corporation Petition for an Extension of Time to Implement VoIP 711-Dialing in a Nomadic Context, WC Docket No. 04-36, WT Docket No 96-198, CG Docket No. 03-123, CC Docket No. 92-105 (filed Mar. 7, 2008) (corrected Mar. 18, 2008) (Qwest Petition); Reply Comments of Qwest Communications Corporation, Inc., WC Docket No. 04-36, WT Docket No 96-198, CG Docket No. 03-123, CC Docket No. 92-105 (filed Dec. 17, 2007), *generally*.



call had ever been dialed.<sup>20</sup>

In the event the Commission determines that N11-dialing functionality will be a condition for interconnected VoIP providers to secure direct access to numbers, CenturyLink believes that three mitigating conditions should attach to the obligation: (1) a government or authorized private party should have to ask for such a deployment before it is created; (2) the requesting entity should be able to pay for the deployment; and (3) some period of time should be permitted to accomplish the deployment, perhaps up to a year after a *bona fide* request. CenturyLink believes these conditions are imperative because N11-dialing deployments are not without cost. And sometimes parties interested in having the functionality lose interest when they are confronted with the cost burden. But if interest remains, service providers require some time to design and deploy such functionality. Requiring that a N11 deployment occur as soon as technically and operationally feasible but not more than a year after a *bona fide* request seems a reasonable regulatory model at least when the deployment obligation is initially imposed on service providers.

### **III. ILECS' EXISTING NETWORKS AND TRAFFIC-EXCHANGE PROCESSES ARE NOT POISED FOR A MAJOR OVERHAUL IN CONNECTION WITH A TRIAL TESTING THE DIRECT ASSIGNMENT OF TELEPHONE NUMBERS.**

#### **A. The Trials at Issue in the *Order* Are Number-Assignment Trials Not Network Re-Design Ones.**

CenturyLink wholly supports the Commission's authorized direct-number-assignment trials, the regulatory objectives in authorizing them, and the potential consumer benefit that may be realized from them. Indeed, as noted above, CenturyLink filed for a waiver of the Commission's number-assignment rules, anticipating that -- should market conditions warrant -- it might utilize numbers assigned to it in service of its customers. But we view the trials as

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<sup>20</sup> Qwest Petition at 3.

having as their primary objective the general assessment of public benefit from telephone number assignments to non-carriers, in support of those businesses' services to their customers. And we believe the Commission agrees with this conclusion.

A controlling principle for the upcoming direct-number-assignment trials should be the clear statement that they are meant to assess the assignment of telephone numbers, with a view to the public benefits that might be realized through such assignment, not to restructure the current infrastructure of non-trial participants currently providing wireline voice services. Just as is the case today, during the trials traffic will be originated and terminated to telephone numbers. The fact of *assignment of telephone numbers* directly to interconnected VoIP providers does not require a restructuring of the LECs' network architecture, a major revision of their routing and rating practices, or a redesign of existing numbering databases.

Yet there are VoIP providers who are seizing upon the numbering trials as an opportunity to further regulatory and business agendas that go considerably beyond the direct assignment of numbers. These providers claim they are entitled to a particular network routing, or to certain terms and conditions of traffic exchange, or to modifications of existing numbering databases or their functionality.<sup>21</sup> Such demands are opportunistic and seek to advance private, rather than public, benefits. Accordingly, they are misplaced.

**B. “Additional Issues Raised In Pending Waiver Proceedings.”<sup>22</sup>**

The *Notice* outlines “a number of additional issues related to interconnected VoIP providers obtaining numbers directly from the numbering administrators,” including “how call routing and termination, intercarrier compensation, IP interconnection, and local number

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<sup>21</sup> In the recitation of benefits that Vonage had identified as flowing from the direct assignment of numbers to it, a hint of this larger agenda is evident. *See Notice*, 28 FCC Rcd at 5851-52 ¶ 14.

<sup>22</sup> This is the title of Section III.B. of the *Notice*.

portability would work in such a scenario.”<sup>23</sup> Comment is then sought on the various topics, with the observation that “these concerns generally can be addressed through appropriate conditions on interconnected VoIP providers’ direct access to numbers.”<sup>24</sup>

Two things are important about the above-quoted language. First, there is a request for comment on them, not a directive resolving them. Two of the “additional issues” (routing and termination for non-TDM traffic and IP interconnection) have not been resolved to date and no resolution of them is reflected in the *Order* authorizing the six months direct-number-assignment trials. It is unrealistic and unreasonable to assume that carriers are going to “resolve” these issues with non-carriers during six-month trials. Indeed, attempting to do so would be to allow the “tail to wag the dog.” And the third issue (intercarrier compensation) was resolved in the *USF/ICC Transformation Order*<sup>25</sup> to the extent that IP to PSTN traffic is implicated. Second, the “additional issues” referenced are the topic of other proceedings, demonstrating the breadth of the issues and their particular independence from an interconnected VoIP provider’s direct access to numbers.

Below, CenturyLink addresses these “[a]dditional issues” briefly in response to the *Notice*’s request for comment.

### **1. Intercarrier Compensation.**

As described in the *Notice*, the Commission has established rules governing the intercarrier compensation rights and obligations of parties exchanging VoIP-Public Switched

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<sup>23</sup> *Notice*, 28 FCC Rcd at 5861 ¶ 40.

<sup>24</sup> *Id.*

<sup>25</sup> *Connect America Fund, et al.*, WC Docket Nos. 10-90, *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 18008 ¶ 944 (2011) (*USF/ICC Transformation Order*), *pets. for review pending sub nom. In re: FCC 11-161*, No. 11-9900 (10th Cir. filed Dec. 8, 2011).

Telephone Network (PSTN) traffic.<sup>26</sup> Those rules establish default rates for many switched access and non-access functions for such traffic. And, while the Commission has prescribed a transition to an ultimate end-state where bill and keep or a zero rate will apply to many of those intercarrier compensation rates, that transition will take a number of years. And, the Commission has not yet addressed the status of a variety of other intercarrier compensation rates that fall outside of the existing transition rules.<sup>27</sup>

The *Order*'s authorization of limited six month direct-number-assignment trials has done nothing to change the application of these existing intercarrier compensation rules, nor would the potential extension of similar rights to other parties (something suggested in the *Notice*). In either case, new participants in numbering rights must accommodate applicable intercarrier compensation requirements for any traffic exchange they may engage in. Fundamentally, any party intending to exchange VoIP-PSTN traffic must still acquire services to do so -- either by tariff or agreement. And, in the governing tariff or agreement for such services, those providers must assume appropriate responsibility for applicable intercarrier compensation charges.

Clarifying these issues will go a long way toward ensuring that the Commission does not open an opportunity for service providers to create new arbitrage opportunities (for example, traditional carriers could have an incentive to dump traffic to the trial participants in an effort to avoid paying appropriate rates). Such arbitrage would distort the market through a regulatory change in the cost structure of one type of service provider over another. The Commission must ensure that whatever happens as a result of numbering trials, or any future expansion of

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<sup>26</sup> *Notice*, 28 FCC Rcd at 5863-64 ¶¶ 48-49.

<sup>27</sup> The Commission, in the *USF/ICC Transformation Order*, issued a *Further Notice of Proposed Rulemaking* to address these other ICC issues. *USF/ICC Transformation Order* (USF/ICC Further Notice), 26 FCC Rcd at 18045, Section XVII, 18109 ¶¶ 1296, *et seq.* That *Further Notice* is still pending.

numbering assignment rights, it does not undermine the existing intercarrier compensation structure.

With respect to Competitive Tandem Providers (CTP), they are providing the connection between an IP provider and a TDM provider. In the context of a direct-number-assignment trial or a future expansion of similar rights to other parties, the function they would be providing is no different from the function they provide today with regards to CLEC traffic origination. The mere fact that the originating or terminating entity may be an interconnected VoIP service provider does not change how the CTP interacts with the TDM LEC with whom they exchange traffic. Therefore, the intercarrier compensation structure does not change because the CTPs will continue to charge tandem access rates when TDM customers call IP customers. Similarly, existing rules will continue to govern who is responsible for intercarrier compensation charges due an ILEC when the CTP attempts to terminate jurisdictionally long distance or local VoIP-PSTN traffic. But, again, the Commission, can help avoid potential future disputes by clarifying these issues.

## **2. VoIP Interconnection.**

The *Notice* seeks comment on this matter,<sup>28</sup> despite the fact that the issues associated with VoIP interconnection are being considered in multiple pending dockets.<sup>29</sup> Therefore, there is no reason for the Commission to address the issue in this proceeding.

CenturyLink has responded at length to questions regarding the appropriate regulatory treatment of IP-to-IP interconnection for voice services. In particular, CenturyLink has

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<sup>28</sup> *Notice*, 28 FCC Rcd at 8565-67 ¶¶ 52-56.

<sup>29</sup> See *USF/ICC Further Notice*, 26 FCC Rcd at 18045, Section XVII; Public Notice, Pleading Cycle Established on AT&T and NTCA Petitions, GN Docket No. 12-353, 27 FCC Rcd 15766 (2012); Technology Transitions Policy Task Force Seeks Comment on Potential Trials, GN Docket No. 13-5, DA 13-1016 (rel. May 10, 2013) (Public Notice); 78 Fed. Reg. 31542 (May 24, 2013); Public Notice, DA 13-1216 (rel. May 24, 2013).

discussed the importance of allowing such interconnections to be driven by economics and efficiency, rather than Commission mandates. Particularly given the early state of the TDM-to-IP transition, any additional exercise of Commission authority over IP interconnection would be both premature and unwarranted.<sup>30</sup>

The direct assignment of telephone numbers to an interconnected VoIP provider does not change this analysis. If such a VoIP provider seeks to interconnect and exchange voice traffic, CenturyLink will seek to negotiate in good faith with that provider,<sup>31</sup> looking towards a commercial agreement. Given the realities of CenturyLink's legacy ILEC networks, where it is not currently possible for CenturyLink to accept voice traffic in IP format and convert it to TDM, such interconnection arrangements would generally conform to existing interconnection standards and practices. Such commercial agreements most certainly would not require CenturyLink to reengineer its networks and/or systems or entail other capital-intensive modifications to what are clearly impending "legacy" TDM networks.

**C. VoIP Requests (Sometimes Demands) for Extra-Ordinary Treatment During the Six-Month Direct-Number-Assignment Trials and CenturyLink's Proposed Solution.**

**1. Requests for Extraordinary Treatment.**

In the context of the numbering trials, CenturyLink has received a wide variety of requests from VoIP service providers for various types of connection and traffic exchange. All seem to feel entitled to have their requests (sometimes sounding more like demands) met because they are participating in the direct-number-assignment trials. Believing as we do that no radical redesign of our network or departure from existing ILEC industry practices and procedures is

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<sup>30</sup> See, e.g., Reply Comments of CenturyLink, GN Docket No. 12-353, at 14-18 (filed Feb. 25, 2013); Comments of CenturyLink, GN Docket No. 13-5 (filed July 8, 2013).

<sup>31</sup> Notice, 28 FCC Rcd at 5865-66 ¶ 52 [citing to duty to negotiate in good faith under Communications Act].

required under the *Order* authorizing such trials, CenturyLink continues to press for reasonable good-faith negotiations within the current communications landscape to facilitate and support these providers in their trial ventures. We hope our approach realizes increasing acceptance because we are confident that there are business arrangements that can be crafted to meet the needs of both parties affected by the numbering trials.

The above said, at least one interconnected VoIP provider has indicated that it was not interested in negotiation but only in IP-to-IP interconnection, immediately, and on that provider's terms only. As a practical matter, this is an overreaching demand because the CenturyLink ILEC does not have any IP-based customers residing in the area where the interconnected VoIP provider chose to do its trial. Therefore, all IP traffic will come *from* the VoIP provider's location with no IP traffic coming *to* them from CenturyLink's customers. The disconnect between the demand and the facts are obvious.

Expecting (or demanding) that an ILEC will accept voice traffic in an IP format in any particular area before it deploys IP functionality in its underlying network (which CenturyLink has not done) is both pointless and misguided. If the called party is still served on a TDM network, there is no inherent efficiency in requiring a terminating carrier to accept a call in IP and convert it to TDM, rather than just accepting the call in TDM as it does today. Moreover, a regulatory mandate for IP-to-IP interconnection in advance of deploying an overall IP network in a geographic area would drain the capital funding needed to deploy or upgrade that and other similar next-generation networks needed to provide VoIP and other IP-based services.

Other providers, either participating in or associated with, the direct-number-assignment trials have raised additional thorny issues in the area of call routing. The issues are thorny because their requested routing proposals fail to conform with existing industry routing

standards. On the other hand, and not surprisingly, CenturyLink's routing methodologies do conform to such standards.

Some providers are demanding "exception-based" routing, which would have to be accomplished manually (based on spreadsheets), rather than processed according to existing standards-based industry-wide automated systems. Others propose tandem-to-tandem routing for local traffic in a TDM network context, something which does not currently occur in CenturyLink's network and which, if deployed, could not be confined to VoIP traffic exchanged in the context of the direct-number-assignment trials.

Exception-based processes are never desirable, all the more so when the party being asked to "make the exception" is expected to suffer the costs and resource drain to accommodate the exception, despite the fact that they never made an affirmative decision to participate in a trial. Rather, the ILECs' existing networks are the platform on which the number-assignment trials are being conducted and the service providers choosing to participate in such trials should accommodate those platforms, not the reverse.

## **2. CenturyLink Has a Reasonable, Fair Traffic Exchange Solution.**

CenturyLink raises the above third-party requests so the Commission can see the kinds of challenges we are facing in addressing proposals for extra-ordinary treatment during these impending six-month numbering trials. In the spirit of reconciliation and cooperation, CenturyLink has fashioned a reasonable and practical solution to the fact that existing interconnection models or routing protocols might not elegantly fit the needs of those interconnected VoIP providers participating in the direct-number-assignment trials.

CenturyLink proposes a solution whereby TDM trunks can be used by interconnected VoIP providers for their traffic, despite their lack of a CLEC status. The interconnected VoIP provider would convert the traffic from IP to TDM before placing the call on the trunks. A



commercial agreement for the exchange of traffic between the TDM LEC and the IP service provider would need to occur. The agreement would initially be restricted to the trial location and time period with the option, upon mutual agreement and Commission approval, to extend the traffic exchange arrangement past six months in trial locations. CenturyLink believes our proposal is eminently reasonable; and that it should be met with favor by interconnected VoIP providers and regulators alike. We are confident the Commission will agree. Moreover, this model could be maintained into the future should the number assignments to interconnected VoIP providers become more permanent (or should direct access to numbering resources be extended beyond such providers), at least until a more ubiquitous IP-to-IP interconnection infrastructure is in place.

**IV. THE COMMISSION SHOULD ACT IMMEDIATELY TO DECLARE THAT “SHARED INDUSTRY COSTS” ARE JUST THAT -- SHARED COSTS; A CARRIER’S USE OF NUMBERING RESOURCES FOR INTRA-CARRIER OR NON-LNP/POOLING FUNCTIONS ARE CARRIER-SPECIFIC COSTS NOT TO BE BORNE BY THE INDUSTRY.**

The *Notice* seeks comment on whether the Commission should amend its numbering cost allocation rules in light of changes in the industry that might have occurred over the past 15 years since those rules were established, including a potential expansion of direct access to numbers to entities that previously did not have such access (such as interconnected VoIP providers).<sup>32</sup> The answer is a resounding “yes.”

CenturyLink has been an advocate for change in the cost allocation rules since at least 2006.<sup>33</sup> In 2013, such a change is long overdue. Moreover, the Commission need not engage in

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<sup>32</sup> *Notice*, 28 FCC Rcd at 5872 ¶¶ 68-69.

<sup>33</sup> In 2006, in response to a BellSouth “Petition for Rulemaking to Change the Distribution Methodology for Shared Local Number Portability and Thousands-Block Number Pooling Costs,” CenturyLink (then Qwest) filed supportive comments. We there argued that the cost distribution methodology then in place, based on end-user revenues, was no longer competitively

a lengthy rulemaking to bring about immediate changes that would re-calibrate the current cost allocation methodology to one more reflective of the competitive neutrality the Commission expected when it initiated the methodology.

First, the Commission should require any interconnected VoIP provider who directly accesses numbers to participate in the existing cost allocation process. Second, the Commission should grant the relief requested by Verizon back in 2011,<sup>34</sup> such that those costs characterized by NPAC as LNP Type 1 or “modifier” costs are *not* treated as shared costs for purposes of the cost allocation mechanism.<sup>35</sup> The combination of these actions would allow for a closer alignment of cost causers with cost burden than exists currently. And such alignment could be accomplished immediately, without the delay associated with a rulemaking. While a broader rulemaking might be appropriate to address other significant impending issues, such as those involving the direct assignment of telephone numbers to providers beyond interconnected VoIP

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neutral and should be changed. Qwest Communications Support of BellSouth Petition, RM-11299 (filed Jan. 5, 2006).

<sup>34</sup> In 2011, Verizon and Verizon Wireless filed a “Petition . . . for Declaratory Ruling to Assess NPAC Database Intra-Provider Transaction Costs on the Requesting Provider,” filed May 20, 2011. CenturyLink filed comments in support of Verizon’s request for a declaration that service provider costs not directly and necessarily related to NPAC administration of local number portability (LNP) or number pooling were *not* shared industry costs, but were discretionary ones that should be borne by the service provider directly. Comments of CenturyLink, WC Docket No. 11-95 (filed July 15, 2011).

<sup>35</sup> While the term “shared industry costs” is defined slightly differently by the Commission in an LNP and a number pooling context, the concept is generally the same. Shared costs are those “costs incurred by the industry as a whole, such as those incurred by the third-party administrator to build, operate, and maintain the databases needed to provide number portability.” *In the Matter of Telephone Number Portability*, CC Docket No. 95-116, RM-8535, *Third Report and Order*, 13 FCC Rcd 11701, 11731-32 ¶ 53, 11734-35 ¶ 61 (1998) (citation omitted) (number portability); *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, *Report and Order and Further Notice of Proposed Rule Making*, 15 FCC Rcd 7574, 7662-63 ¶¶ 193-94, 7666 ¶ 202 (2000) (citation omitted) (number pooling).

providers or an increasing use of telephone numbers as addressing mechanisms,<sup>36</sup> the Commission can take action now that will result in a long needed equitable adjustment to the existing allocation mechanism.

As Verizon pointed out in 2011, entities are using telephone numbers and NPAC resources for matters other than the processes associated with LNP and pooling,<sup>37</sup> which are the foundational activities to which the Commission's current cost allocation rules apply. The NPAC is able to determine which costs are necessary for LNP and pooling and which are not. This ability to differentiate means that it is relatively simple, operationally, for those non-LNP/pooling costs to be divorced from the pool of costs deemed "shared industry costs" for purposes of cost allocation. A declaration from the Commission that such separation should occur, with the non-LNP/pooling costs being deemed "carrier specific costs," would result in an immediate correction to a cost allocation mechanism that has lost its way, restoring some semblance of competitive neutrality.

A more extensive rulemaking is appropriate in the longer term to assess whether the overall cost allocation methodology established over 15 years ago remains suitable to the current environment.<sup>38</sup> As the Commission notes, there is an increasing interest in using telephone

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<sup>36</sup> *Notice*, 28 FCC Rcd at 5872-73 ¶ 70. In 2011, when CenturyLink filed its comments supporting Verizon's Petition, we supported a rulemaking "for the larger question of whether the current revenue-based cost-allocation methodology continues to be compatible with competitive neutrality in the context of number portability and number porting costs." Comments of CenturyLink at 2. The need for a broader rulemaking has not diminished but become more critical as time has progressed.

<sup>37</sup> The primary examples given in 2011 involved "the frequent use of the NPAC databases by certain service providers to accomplish a wide variety of tasks unrelated to number portability or pooling, such as grooming their own networks and offering new services." Comments of CenturyLink at 3, quoting from the Verizon Petition. In the instant *Notice*, the Commission notes the increased and increasing demand for numbers for non-calling events. *See Notice*, Section C. Direct Access to Numbers for Other Purposes," 28 FCC Rcd at 5872-75 ¶¶ 70-75.

<sup>38</sup> *Id.* at 5872 ¶ 69 asks about a rulemaking.

numbers as addressing systems for a wide variety of communications services and applications. These uses will only exacerbate the problem of the current inequitable cost allocation structure as more and more numbering uses lack any relationship to number porting or pooling.

As discussed above, CenturyLink is of the opinion that carriers even now are using telephone numbers for services unassociated with traditional voice services and inappropriately passing the costs of such use along even now as shared industry costs for LNP/pooling cost allocation purposes. In addition to remedying this matter through an immediate declaration, the issue of cost allocation regarding the access to and use of telephone number resources more broadly than in an LNP/pooling context should be re-investigated in a more extensive rulemaking, given the change in the competitive and technological landscape over the past decade and its anticipated continuation.

## **V. CONCLUSION**

It is apparent that number administration and management now and into the future presents increasing challenges that must be balanced between number conservation and accommodation of market changes, innovation, and customer needs. In meeting those challenges, the road begins here and now with the Commission's numbering rules, as well as industry-endorsed practices and guidelines. All businesses allowed direct access to numbering resources should be subject to the same governing law and policies regarding those resources, absent some compelling demonstration of the need for differentiation which has not yet been made.

The authorized direct-number-assignment trials do not form the foundation for different treatment between LECs and interconnected VoIP providers with respect to the application of existing rules and numbering practices. While the need for some modest modification to those

controlling principles may become apparent as learnings from the trials, it would be unwise to assume the need for such modification at the outset of the trials. So too, it is premature and unwarranted to assume that the exiting LEC network infrastructure, or LECs' rating or routing practices must change for interconnected VoIP providers choosing to engage in short-term trials regarding direct number assignment from the number portability and pooling administrators.

But the activity and advocacy around the use of telephone numbers by other than LECs, and the fact that such numbers are obviously going to be used for non-telecommunications purposes, makes imperative the need for the Commission to change its existing cost allocation rules. The Commission can return some element of equity and equilibrium to the current environment by clarifying that carrier costs that are not associated with public number portability or pooling activities are not shared industry costs under the Commission's existing rules. And beyond that, the Commission should establish a rulemaking to assess how the costs of number administration and management should be allocated as the resources being administered and managed, *i.e.*, telephone numbers, are made increasingly available to non-carriers. The current model is simply not suited to such an environment and it needs re-definition and application.

Respectfully submitted,

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Its Attorney

July 19, 2013

Appendix A  
Quoted Material from 2005 NANC Report

## 6.2 Facilities Readiness

The FCC, the industry, with input from state regulators, developed the facilities readiness criteria years ago to ensure efficient use of numbering resources in an environment where only carriers received direct access to those resources. In light of the ensuing technological, regulatory and marketplace developments, including the deployment of VoIP and other IP-enabled services, the FoN determined that there may be more effective ways to achieve the goals of the facilities readiness test -- not just for carriers, but for all of the service providers that are likely to have direct access to numbering resources in the future.

Existing Facilities Readiness criteria from the central office code and thousand block number pooling guidelines may not require any changes since a VoIP service provider should be able to qualify under at least one of the stated elements listed in the guidelines excerpted below. This is based on the underlying principle that NANP numbers are assigned to all providers, including VoIP providers, so that calls to a NANP number from the PSTN are completed. Note in particular that the interconnection agreement (ICA) criterion (1) does not require that the ICA be with the incumbent LEC so an agreement with any other certified LEC would suffice. Moreover, item (5) also supports interconnection through any service provider documented simply by a letter of intent rather than a full ICA.

Thousands-Block Number (NXX-X) Pooling Administration Guidelines (TBPAG) (May 20, 2005)<sup>1</sup>      Section 4.3.1.2 Facilities Readiness

*Appropriate evidence that facilities are in place or will be in place to provide service within 60 days of the numbering resources activation date (LERG Routing Guide effective date). Evidence may be provided via a copy of any one of the following document(s)<sup>2</sup> the SP selects:*

- 1. An executed interconnection agreement between a Local Exchange Carrier and the service provider requesting numbering resources. The relevant pages are the cover page, area covered and the signature page from the interconnection agreement.*
- 2. Service Provider developed business plans to provide service in this area. Relevant excerpts from the Business Plan to include planned coverage area and in service dates.<sup>3</sup>*

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<sup>1</sup> Thousands-Block Number (NXX-X) Pooling Administration Guidelines (ATIS-0300073, May 20, 2005) available at [www.atis.org/inc/cos.asp](http://www.atis.org/inc/cos.asp)

<sup>2</sup> There may be additional or different criteria requested by state regulators. See FCC 00-104 ¶ 98.

<sup>3</sup> Provision of business plans may not be sufficient proof of facilities readiness in some serving areas.

3. *A letter from the SP indicating the scheduled switch installation complete date (month/day/year), including the address location, as well as Point of Interconnection or COMMON LANGUAGE® CLI™.*
4. *The service order request, pre-planning checklist, or the equivalent to show that facilities for origination or termination for calls being used specifically for the requested block(s)/code(s) have been requested and are anticipated to be completed prior to the effective date of the block/block/code (See Appendix 6 for an example of a pre-planning checklist showing the identified fields which must be completed).*
5. *A confirmation letter or letter of intent provided by the entity with which the requesting SP will interconnect. Interconnecting carriers are encouraged, but not required, to provide such letters.*
6. *The construction schedule including the following information: site identifier, latitude and longitude of the cell site, and its construction start or complete date. The numbers assigned to the facilities identified must serve subscribers in the geographic area corresponding with the rate center requested.*
7. *A letter from the requesting carrier identifying a block/code in service in another rate center that already uses the same facilities that will be used to serve the new rate center where the initial block/code is being requested.*

*All documentation submitted will be held confidential pursuant to FCC confidentiality rules.<sup>4</sup>*

Central Office Code (NXX) Assignment Guidelines (COCAG) (June 10, 2005)<sup>5</sup>  
 Section 4.2.2 Facilities Readiness

*Appropriate evidence that facilities are in place or will be in place to provide service within 60 days of the numbering resources activation date (LERG Routing Guide effective date). Evidence may be provided via a copy of any one of the following document(s)<sup>6</sup> the SP selects:*

1. *An executed interconnection agreement between a Local Exchange Carrier and the service provider requesting numbering resources. The relevant pages are the cover page, area covered and the signature page from the interconnection agreement.*
2. *Service Provider developed business plans to provide service in this area. Relevant excerpts from the Business Plan to include planned coverage area and in service dates.<sup>7</sup>*

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<sup>4</sup> 47 CFR, § 52.13 (c) (7)

<sup>5</sup> Central Office Code (NXX) Assignment Guidelines (ATIS-0300051, June 10, 2005) available at [www.atis.org/inc/docs.asp](http://www.atis.org/inc/docs.asp)

<sup>6</sup> There may be additional or different criteria requested by state regulators. See FCC 00-104 ¶ 98.

<sup>7</sup> Provision of business plans may not be sufficient proof of facilities readiness in some serving areas.

3. *A letter from the SP indicating the scheduled switch installation complete date (month/day/year), including the address location, as well as Point of Interconnection or COMMON LANGUAGE® CLLI™.*
4. *The service order request, pre-planning checklist, or the equivalent to show that facilities for origination or termination for calls being used specifically for the requested code(s) have been requested and are anticipated to be completed prior to the effective date of the code (See Appendix A for an example of a pre-planning checklist showing the identified fields which must be completed).*
5. *A confirmation letter or letter of intent provided by the entity with which the requesting SP will interconnect. Interconnecting carriers are encouraged, but not required, to provide such letters.*
6. *The construction schedule including the following information: site identifier, latitude and longitude of the cell site, and its construction start or complete date. The numbers assigned to the facilities identified must serve subscribers in the geographic area corresponding with the rate center requested.*
7. *A letter from the requesting carrier identifying a code in service in another rate center that already uses the same facilities that will be used to serve the new rate center where the initial code is being requested.*

*All documentation submitted will be held confidential pursuant to FCC confidentiality rules.<sup>8</sup>*

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<sup>8</sup> 47 CFR, § 52.13 (c) (7)